



**REGULAR MEETING OF THE  
BOARD OF ADJUSTMENT  
FRISCO CITY HALL  
GEORGE A. PUREFOY MUNICIPAL CENTER  
COUNCIL CHAMBERS  
6101 FRISCO SQUARE BLVD.  
FRISCO, TEXAS 75034**

**6:30 PM**

**WEDNESDAY, JANUARY 06, 2010**

**MINUTES**

**CALL TO ORDER**

Chairman	Dan Pellar	Present
Vice Chairman	Jim Wilson	Present
Secretary	Robert Ouellette	Present
Board Member	Daniel Thering	Present
Board Member	Robert Ouellette	Present
Board Member	Eddie Duncan	Present
Alternate 1	Robert Beatty	Present
Alternate 2	Wayne Snell	Present
Alternate 3	Jeff Kershaw	Present

**1. Roll Call**

Chairman Dan Pellar called the meeting to order at 6:30 p.m.

**Staff present:** Steve Covington, Chief Building Official; Scott Ingalls, Development Coordinator; John Gillette, Fire Marshal; Paul Siebert, Deputy Fire Chief; Courtney Kuykendall, City Attorney; Kristen Johnson, Administrative Assistant.

## **APPROVAL OF MINUTES**

2. Consider and act upon approval of minutes of the Board of Adjustment meeting on December 2, 2009.  
Jeff Kershaw stepped up to act as a voting member as Robert Ouellette arrived late.  
Vice Chairman Jim Wilson moved to approve the minutes. Board Member Robert Beatty seconded the motion. Motion carries. Vote: 5-0. Minutes approved.  
Robert Ouellette arrived at 6:33 p.m.

## **PUBLIC HEARINGS**

3. **Public Hearing:** (V09-0008)  
**Applicant(s):** Capital Telecom  
A request for a variance to the Comprehensive Zoning Ordinance to reduce the rear setback from 90 feet to 27 feet for a commercial cell antenna, described as Home Depot Addition, Block 1, Lot 1, also described as 5995 Eldorado Parkway. Zoned Planned Development-156-Retail. Neighborhood #46.  
Scott Ingalls reviewed staff comments with the Commission and recommended approval.  
Chairman Dan Pellar moved to open the public hearing.  
Speaking for: Robert Baldwin, Baldwin Associates  
Speaking against: None.  
There being no one else to speak Board Member Daniel Thering moved to close the public hearing. Board Member Eddie Duncan seconded the motion. Motion carries. Vote: 5-0.  
Following review and discussion, Vice Chairman Wilson moved to table the item to the next regularly scheduled meeting, February 17<sup>th</sup> 6:00 p.m. Board Member Eddie Duncan seconded the motion. Motion carries. Vote: 5-0. Item tabled.
4. **Public Hearing:** (V09-0009)  
**Applicant(s):** Robert G. Hess  
A request for a variance to reduce the rear yard setback from 20 feet to 6.5 feet and reduce the side yard setback from 7 feet to 2.5 feet for an accessory structure on one lot on Western Trails, 850± feet west of Montana Drive also described as 15788 Western Trails, Frisco Heights Phase II, Block C, Lot 19. Neighborhood #6.  
Steve Covington reviewed staff comments with the Commission and recommended denial.  
Vice Chairman Wilson moved to open the public hearing. Secretary Robert Ouellette seconded the motion. Motion carries. Vote: 5-0.  
Speaking for: None

Speaking against: Eric Dagley, Homeowner

There being no one else to speak Board Member Robert Beatty moved to close the public hearing. Vice Chairman Jim Wilson seconded the motion. Motion carries. Vote: 5-0.

Following review and discussion, Board Member Robert Beatty moved to deny. Vice Chairman Jim Wilson seconded the motion. Motion carries. Vote: 5-0. Item approved.

### **GENERAL INFORMATION**

5. Board discussion with City Staff concerning any actions required by City Staff as a result of any item on tonight's agenda.  
The topic of moving the meeting time from 6:30 p.m. to 6:00 p.m. was brought forward. Following review and discussion, Board Member Eddie Duncan moved to approve the new meeting time of 6:00 p.m. Board Member Robert Beatty seconded the motion. Motion carries. Vote: 5-0. Meeting time approved for 6:00 p.m.
6. Possibly direct City Staff to schedule topic(s) for discussion at a future meeting. There were no discussion items to add to a future agenda.

### **ADJOURN**

There being no further business, Vice Chairman Jim Wilson moved to adjourn the meeting at 7:33 p.m. Board Member Eddie Duncan seconded the motion. Motion carries. Vote: 5-0. Meeting adjourned.

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**Robert Ouellette**  
**Secretary**